

November 21, 2022

The Honorable Robert E. Payne, Senior U.S.District Judge
United States District Court
701 E. Broad Street, Suite 3000
Richmond VA 23219-3528

RE: Fred Haney, et al v. Genworth Life Insurance Company, et al
Case No. 3:22-cv-00055-REP

Dear Judge Payne:

This letter is a plea to the Court to correct an error that occurred during the court session of Thursday, November 17, 2022, in the above referenced case and ask that this letter be entered into Court records for that day on behalf of my wife and me.

To set the background, in August or September we received an invoice from Genworth for the December 16, 2022, due date for our long-term health care policy premium. Being alarmed at the large increase on this invoice, we called our registered agent at Davenport Investments for advice regarding our three alternative options to the 39% increase in premium. She informed us of the pending lawsuits against Genworth and called Genworth at our request to determine if we are a part of the class action lawsuit. Our agent assured us that indeed we are party (Choice 2) to the lawsuit and that we would be receiving a letter to that effect with possible settlement

options. She also emailed to us some of the literature to which I referred in my court comments. If we had not previously “fired” our Genworth agent for poor service, we would never have known about this lawsuit.

We never received any letter from Epiq, the Settlement Administrator, regarding this lawsuit. This begs the question: How many other eligible policyholders are unaware as we would have been without our agent’s information?

I was stunned and embarrassed in the zoom court proceedings to be told that we were not party to this case and had no standing to speak on it. The next morning my wife and I called Genworth two separate times to ascertain our status and both times it was confirmed that our policy is Choice 2. My wife called Epiq, which also confirmed our status as Choice 2 and agreed to mail us a copy of our settlement options which may take up to ten business days to receive. Subsequently, the attorney, Mr. Brian Penny, called me the same day to apologize for the omission on the list of Choice 2 policyholders and stated that he would write a letter to the Court to correct the omission.

We do not know where our omission occurred, but it is an egregious error, limiting our rights. In our seventies, living on fixed income, my wife and I need to determine our optimal benefits from this lawsuit with Genworth, an opportunity that may have been denied to us without this statement of omission.

My wife and I are asking that this letter be included in Court proceedings for November 17, 2022 in the Haney, et al v Genworth, et al case.

Thank you for your consideration.

Sincerely yours,

John V. Hilliard, Jr.

Genworth Policy Number AAA5066361 (Choice 2)

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